

Phone: 510 769-3510  
Fax: 510 337 7877

2033 Clement Ave., Suite 200  
Alameda, CA 94501  
Internet address: www.quinelaw.com  
Email: Jaquine@quinelaw.com

**Quine Intellectual  
Property Law Group,  
P.C.**

RECEIVED  
CENTRAL FAX CENTER

MAY 24 2005

# Fax

**PERSONAL AND CONFIDENTIAL**

**To:** Examiner Pak

**From:** Gary Baker

USPTO, Group 1646

**Fax:** 703 872-9306

**Date:** May 24, 2005

**Phone:** 571-272-0879

**Pages:** 3

**Re:** USSN 09/103,355

**our file:** 407J-986410US

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

**•Comments:**

**Dear Examiner Pak,**

**I would like to schedule an interview in the above cited matter. Attached is a letter with a proposed amended claim 1 for your review before the interview.**

**Thanks,**

**Gary Baker**

If you should encounter any difficulties in the transmission of this facsimile, please call Gary Baker at (510) 769-3510.

**IMPORTANT:** This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and/or exempt from disclosure by applicable law or court order. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above Alameda address via the United States Postal Service. Thank you.

**QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.**

2033 Clement Avenue, Suite 200  
Alameda, CA 94501  
Internet address: [www.quinelaw.com](http://www.quinelaw.com)

Phone: (510) 337-7871  
Fax: (510) 337-7877  
Email: [jaquine@quinelaw.com](mailto:jaquine@quinelaw.com)

May 24, 2005

**RECEIVED  
CENTRAL FAX CENTER**

MAY 24 2005

VIA Fax

Michael Pak  
Primary Examiner  
Art Unit 1646  
USPTO

RE: U.S. Patent Application No. 09/103,355 for  
METHODS FOR SCREENING NUCLEAR TRANSCRIPTION FACTORS FOR  
THE ABILITY TO MODULATE AN ESTROGEN RESPONSE  
Inventor: Peter J.Kushner, et al.  
Filed: June 23, 1998  
Our File No.: 407J-896410US

Dear Michael:

I would like to arrange an Interview in the above cited case at your soonest convenience. Please contact me at 510 769-3510 or at [gbaker@quinelaw.com](mailto:gbaker@quinelaw.com) to schedule the interview.

I in previous discussions we worked together and were able to adjust the claim to remedy a 112 issue. Now, I am proposing amendments to resolve issues of alleged anticipation and obviousness.

The following claim has several limitations not present in Kushner, Evans or Pfahl. The first amendment in clause a) makes it clear that this is a screening method including a comparison of reporter signals with and without the presence of the nuclear transcription factor ligand (TFL) being screened. Fos and jun can not be the TFL because they are not absent from the claimed cell.

QUINE INTELLECTUAL PROPERTY  
LAW GROUP, P.C.

PAGE: 2  
May 24, 2005

Michael Pak  
Primary Examiner

1. A method of screening a nuclear transcription factor ligand for an ability to modulate estrogen activation at an AP-1 site, said method comprising the steps of:
  - a) providing a first cell in the absence of said nuclear transcription factor comprising:
    - a cognate receptor for the nuclear transcription factor ligand, which cognate receptor is not an estrogen receptor;
    - ~~an estrogen receptor different from said cognate receptor~~;
    - fos;
    - jun;-and,
    - a promoter comprising an AP-1 site that regulates expression of a first reporter gene;
  - b) contacting said first cell with said transcription factor ligand and with a compound having AP-1 mediated estrogenic activity; and,
  - c) detecting expression of said first reporter gene, as compared to expression of said first reporter gene in the absence of said transcription factor ligand, wherein a difference in expression of said first reporter gene in the presence and absence of said transcription factor ligand indicates that said nuclear transcription factor ligand modulates estrogen activation at an AP-1 site.

I would appreciate your help in adjusting this claim to allowance. I am open for the Interview nearly any time. Please get back to me without too much delay.

Best regards,

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

  
Gary Baker

GB;gb